



11-15-06

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GILSON  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: G. Baran

Appln. No.: 10/606,442

Filed: June 25, 2003

For: Nebulizing Catheter And Methods Of Use  
And Manufacture

Examiner: L. Hill

Art Unit: 3761

Attorney Docket No: 6298/431

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Transmittal (in duplicate); Fifth Supplemental Information Disclosure Statement; PTO Form 1449
- ☒ Return Receipt Postcard.

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x \$100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$180. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

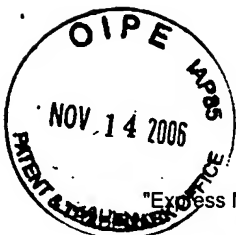
Nov. 14, 2006

Kent E. Genin (Reg. No. 37,834)

BRINKS HOFFER GILSON &amp; LIONE

NBC Tower - Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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MANUFACTURE

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## FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicant hereby cites the following reference(s):

### U.S. PATENTS

<u>Patent No.</u>	<u>Date</u>	<u>Inventor</u>
1,902,418	03/1933	Pilgrim
3,538,918	11/1970	Hofstra
4,270,530	06/1981	Baum et al.
4,334,534	06/1982	Ozaki
4,690,672	07/1987	Veltrup
4,850,371	07/1989	Broadhurst et al.
5,186,167	02/1993	Kolobow
5,231,983	08/1993	Matson et al.
5,235,970	08/1993	Augustine
5,291,882	03/1994	Makhoul et al.
5,318,518	06/1994	Plechinger et al.
5,544,648	08/1996	Fischer, Jr.
5,606,968	03/1997	Mang
5,642,730	07/1997	Baran
5,803,078	09/1998	Brauner
6,079,413	06/2000	Baran
6,102,042	08/2000	Hete et al.

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ON 11/17/06  
GILSON  
& LIONE

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<u>Patent No.</u>	<u>Date</u>	<u>Inventor</u>
6,526,976	03/2003	Baran
6,729,334	05/2004	Baran

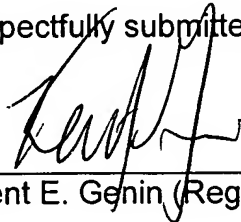
Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

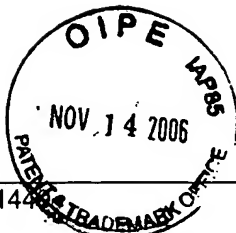
By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicant has enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Statement.

Respectfully submitted,

Nov. 14, 2006  
Date

  
Kent E. Genin (Reg. No. 37,834)



FORM PTO-1449	SERIAL NO. 10/606,442	CASE NO. 6298/431
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE June 25, 2003	GROUP ART UNIT 3761
(use several sheets if necessary)		APPLICANT(S): G. Baran

# REFERENCE DESIGNATION

# U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	F1	1,902,418	03/1933	Pilgrim		
	F2	3,538,918	11/1970	Hofstra		
	F3	4,270,530	06/1981	Baum et al.		
	F4	4,334,534	06/1982	Ozaki		
	F5	4,690,672	07/1987	Veltrup		
	F6	4,850,371	07/1989	Broadhurst et al.		
	F7	5,186,167	02/1993	Kolobow		
	F8	5,231,983	08/1993	Matson et al.		
	F9	5,235,970	08/1993	Augustine		
	F10	5,291,882	03/1994	Makhoul et al.		
	F11	5,318,518	06/1994	Plechinger et al.		
	F12	5,544,648	08/1996	Fischer, Jr.		
	F13	5,606,968	03/1997	Mang		
	F14	5,642,730	07/1997	Baran		
	F15	5,803,078	09/1998	Brauner		
	F16	6,079,413	06/2000	Baran		
	F17	6,102,042	08/2000	Hete et al.		
	F18	6,526,976	03/2003	Baran		
	F19	6,729,334	05/2004	Baran		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.